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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,135	10/14/2003	Mark Anderson	2054.001US4	7593

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EXAMINER	
DINH, KHANH Q	

ART UNIT	PAPER NUMBER
2151	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	**Application No.** 10/686,135	**Applicant(s)** ANDERSON ET AL.	
	Examiner Khanh Dinh	**Art Unit** 2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _06 May 2008_.
2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-48_ is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-48_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a)☐ All b)☐ Some * c)☐ None of:
1.☐ Certified copies of the priority documents have been received.
2.☐ Certified copies of the priority documents have been received in Application No. _____.
3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _5/6/2008_.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This is in response to the Request for Continue Examination filed 4/28/2008. Claims 1-48 are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 103(a) that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kari et al., US pat. No.6,154,745 in view of LeBlanc et al., US pat. No.6,236,365.

As to claim 1, Kari discloses a method to collect geographic location information, the method including:

collecting geographic location information, associated with a network address and utilizing a plurality of geographically dispersed data collection agents (remote servers 4, 4' fig.2) capable of individually performing at least one data collection operation (using the remote servers for processing and initiating a query including a network address of user specific information, see abstract, fig.2, col.4 lines 44-67 col.6 lines 15-62 and col.8 lines 5-62); and utilizing the geographic location information to associate a geographic location with the network address (by setting up a connection via the telecommunication network to the service, the location information, the identification of the terminal or the user, and possible information on the travel route is included in the query message is transmitted to the service By doing so, the user identification and the geographical position of the search terminal, the travel route selected by the user by the search terminal, see col.6 lines 7-62 and col.7 line 17 to col.8 line 62).

Kari does not specifically disclose associating at least one confidence factor with the geographic location. However, LeBlanc discloses at least one confidence factor with the geographic location (using the Location estimate to track the location and a confident factor of the mobile device, see abstract, col.27 line 13 to col.28 line 52). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement LeBlanc's teachings into the computer system of Kari to track the mobile/communication device because it would have processed both local and global mobile station requests via Internet communication between a distributed networks of location systems.

As to claim 2, Kari discloses including deploying the plurality of geographically dispersed agents at a plurality of respective and separate service providers (see fig.2, col.7 line 17 to col.8 line 62).

As to claims 3 and 4, Kari discloses collecting of the geographic location information includes performing a traceroute search and determining validity of the geographic location information utilizing built-in metrics (see col.13 line 21 to col.14 line 54).

As to claims 5 and 6, Kari discloses controlling the plurality of geographically dispersed data collection agents utilizing a data collection broker and controlling a further plurality of geographically dispersed data collection agents utilizing a further data collection broker (see col.13 line 21 to col.14 line 54).

As to claims 7 and 8, Kari discloses utilizing the data collection broker, determining which data collection agents of the plurality of data collection agents are most appropriate for the collecting of the geographic location information and wherein each of the plurality of data collection agents is to advise the data collection broker regarding a success or a failure of a search conducted to collect the geographic location information (see col.8 lines 20-62 and col.13 line 21 to col.14 line 54).

As to claims 9 and 10, Kari discloses transferring the collecting of the geographic location information from the data collection broker to the further data collection broker, associated with the further plurality of geographically dispersed data collection agents and providing the geographic location information from each of the plurality of dispersed data collection agents to a data collection broker (see fig.8, col.9 line 15 to col.10 line 60 and col.13 line 21 to col.14 line 54).

As to claims 11 and 12, Kari discloses utilizing the data collection broker, storing the geographic location information within a collection database and wherein an analysis module utilizes the geographic location information to associate the geographic location with the network address (see col.8 lines 20-62 and col.13 line 21 to col.14 line 54).

As to claims 13 and 14, Kari discloses wherein at least one of the plurality of geographically dispersed data collection agents is capable of performing a plurality of data collection operations and the plurality of data collection operations is in accordance with a plurality of analysis techniques utilized by an analysis module (see fig.8, col.9 line 15 to col.10 line 60 and col.13 line 21 to col.14 line 54).

As to claims 15 and 16, Kari discloses wherein a data collection broker is to determine which of the plurality of analysis techniques, utilized by the analysis module, is to be utilized by the analysis module with respect to the network address and wherein at least one of the plurality of geographically dispersed data collection agents locally stores the geographic location information, collected utilizing one or more searches, and batch updates the data collection broker utilizing the locally stored geographic location information (see col.8 lines 20-62 and col.13 line 21 to col.14 line 54).

As to claims 17 and 18, Kari discloses that the collecting of the geographic location information includes launching first and second traceroutes from respective first and second collection agents of the plurality of geographically dispersed data collection agents and wherein each of the first and second traceroutes is with respect to the network address (see fig.8, col.9 line 15 to col.10 line 60 and col.13 line 21 to col.14 line 54).

As to claims 19 and 20, Kari discloses computing a similarity of the first and second traceroutes to generate a confidence factor for the geographic location associated with the network address and wherein the association of the geographic location with the network address includes determining whether each of the first and second traceroutes proceeds through a common set of routers (see fig.8, col.9 line 15 to col.10 line 60 and col.13 line 21 to col.14 line 54).

As to claims 21 and 22, Kari discloses that the association of the geographic location with the network address includes determining that each of the first and second traceroutes terminates at or approximate the geographic location and wherein the association of the geographic location with the network address includes extrapolating a direction indication for the geographic location, utilizing knowledge of locations of routers in each of the first and second traceroutes (see fig.8, col.9 line 15 to col.10 line 60 and col.13 line 21 to col.14 line 54).

As to claim 23, Kari discloses extrapolating a plurality of direction indications utilizing the knowledge of the locations of the routers in each of the first and second traceroutes, and identifying the geographic location utilizing the plurality of direction indications (see fig.8, col.9 line 15 to col.10 line 60 and col.13 line 21 to col.14 line 54).

Claims 24-46 are rejected for the same reasons set forth in claims 1-5, 9 and 7-23 respectively.

Claims 47 and 48 are rejected for the same reasons set forth in claims 1 and 1 respectively.

Response to Arguments

5. Applicant's arguments with respect to claims 1-48 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Claims 1-48 are rejected.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (571) 272-3936. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:
Commissioner for patents
P O Box 1450
Alexandria, VA 22313-1450

/Khanh Dinh/

Primary Examiner, Art Unit 2151